

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

BARROW

75-CR-129

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs.	For U. S.: <p align="center">Ben F. Baker</p>
<p>True name: Harry Anson Reynolds - PAT REYNOLDS (54) (bond) ELLIS STEELE (43) (bond)</p>	<p>Robt. Brown (Reynolds 2255) 500 W. 7th St. Tulsa, 74119 918/582-5141</p>
<p>Steele 2024 South Cedar Sapulpa 224-1828</p> <p>Reynolds 2626 S. Oswego Pl. Tulsa WE 9-8824</p>	<p>For Defendant:</p> <p>Terry Meltzer (ret.) (both) 4815 S. Harvard Tulsa (743-8931)</p> <p>(584-4168) Larry McSoud (Reynolds) (Ret.) Suite 306 Center Bldg. 630 W. 7th, Tulsa 74127</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-1-75 Reynolds 12-1-75	Clerk	12/2/75	Reynolds	250.00	
J.S. 3 mailed Steele 12-1-75 Steele suppl. 1-1-76	Suppl. Reynolds Marshal	12/4/75 8-28-75	C. D. #24		250 00
Violation illegal entry of aliens Title 18	Docket fee				
Sec. 1324(a)(2) & (3) & (18, USC §2)					
Ct. I thru V (Reynolds) Ct. I thru IV (Steele) (\$2000 and/or 5 yrs. each ct.)					

DATE	PROCEEDINGS
9-4-75	Record vote of grand jury, filed in open court. rm
9-4-75	Indictment, filed in open court. rm
9-4-75	Warrants of arrest issued. rm
9-5-75	Magistrate papers added to file. rm
9-5-75	Appearance bond, re <u>Ellis Steele</u> , filed (\$5000 surety), w/Order specifying methods and conditions of release. (MLB-Mag) rm
9-5-75	Appearance bond, re <u>Reynolds</u> , filed (\$5000 surety), w/Order specifying methods and conditions of release. (MLB-Mag) rm
9-5-75	Case set for arraignment and plea as to both defs. for 10 a.m., 9/11/75. (AEB-J) rm-notices md.
9-10-75	Aff. & Order fixing bail for witnesses, filed. (MLB-Mag) v
9-11-75	Case called for arraignment & plea. Defts' present & represented. Govt. represented. Defts' acknowledge receipt of indictments, are advised of charge & arraigned. Both Defts' enter pleas of NOT GUILTY. Reynolds pleas NOT GUILTY to Cts. 1,2,3,4 & 5. Steele pleas NOT GUILTY To Cts. 1,2,3 & 4. Case set for jury trial as to both defs' on 10-20-75, at 10:00 A.M. Defts' given til 9-22-75 to file motions.

Continued

DATE	PROCEEDINGS
9-11-75	continued. Govt. given til 9-29-75 to respond. Defts' are allowed to travel in connection with their work. Mr. Kenneth Stainer presents motion to take depositions of aliens he represents as witnesses in this case. Neither party has any objections. Court takes under advisement & will advise Mr. Stainer on 9-12-75. Govt. presents USM with 5 subpoenas to be served on witnesses & ask that depositions be taken before a Magistrate with Interpreter Mr. DeLeon.(AEB-J)b
9-11-75	Motion for taking depositions of detained material witnesses & for discharge of witnesses, filed., in open court on 9-18-75, before Magistrate
9-12-75	Order for taking depositions of material witnesses, & Further ordered that following the subscription of depositions said witnesses be released from custody of USM into custody of U.S. Border Patrol for administrative deportation according to law, filed.(AEB-J)b cps to U.S. Atty Deft. Co., Magis. & USM
9-17-75	Notice to take depositions of detained material witnesses on 9/18/75 at 1:30 p.m. before U. S. Magistrate, by pltf., filed.(JCS-Clk)rm - subpoenas issued (copies mailed to defendants) (Notice of dep. attached to subpoenas)
9-19-75	US Marshals Service ret. & filed on <u>Terry Meltzer</u> by serving Notice on 9-17-75 in Tulsa W/fees of \$3.00.mm
9-19-75	US Marshals Service ret & filed on <u>Kenneth L. Stainer</u> by serving Notice on 9-18-75 in Tulsa W/fees of \$3.00.mm
9-19-75	Marshals Return on Warrant of Arrest on Pat Reynolds filed by arresting him on 9-4-75 at the USM Office in Tulsa, Okla.mm
9-19-75	Marshals Return on Warrant of Arrest on Ellis Steel filed by arresting him on 9-5-75 at Fed. Bldg., Tulsa, Okla. at 9:15 AM.mm
10-9-75	MO: Case set for jury trial on 10-20-75, at 10:00 AM(AEB-J)b nts mld
10-20-75	Transcript of depositions of witnesses, Juan Olivarez Padilla, Jose Ascencion Mendez Sanchez, Carmen Frias Martinez, Noe Miranda Rodriguez & Raul Salazar Fuentes taken 9-18-75, by Larry E. Marks, CSR, filed. b
10-20-75	Case called for jury trial. Defts present & represented. Govt. represented. Parties announce ready. Case passed to 10-22-75, 10:00 A.M. All witnesses recognized back at that time.(AEB-J)b
10-28-75	Case tried to Jury Oct. 23, 24 & 28, 1975. Defts' present & represented. Govt. represented. Jury selected & sworn. Pltf. makes opening statment & presents case in chief, witnesses sworn & testify. Deft voir dires witness Wells. Pltf. rests. Defts' motion for dismissal as to Deft Reynolds of Cts 1 thru 4 & as to Deft. Steele motion for dismissal, both denied. Deft. makes opening statement & presents case in chief, witnesses sworn & testify. Ct. recessed at 4:10 P.M., 10-24, to reconvene 10-28, 9:30 A.M. (10-28, 10:40 A.M.) Pltf. presents rebuttal evidence, witnesses sworn & testify. Parties rest. Closing arguments made & Court instructs jury. Bailiff sworn & jury retires to begin deliberation at 11:55 A.M. Deft. renews motion for dismissal; denied. Jury excused for lunch at 12:30 P.M., to begin deliberations at 1:30P.M. (2:30 P.M.) Jury returns w/verdict finding Deft. Reynolds GUILTY to Cts. 1,2,3,4,5. & Deft. Steele GUILTY to Cts. 1,2,3 & 4. Verdict received, read & filed in open court. Verdict ordered spread of record by Clerk. Jury discharged. Defts' advised of right to appeal. Defts' to remain on present bond. Sentence set for 11-11-75, at 10:00 A.M.

CONTINUED

CRIMINAL DOCKET

DATE	PROCEEDINGS
10-28 cont'd	Court orders pre-sentence report. (AEB-J)b
10-28-75	Verdict, filed in open court findings Defts' GUILTY. b
10-28-75	Trial exhibits filed. (framed photo in exhibit room) b
10-31-75	Entry of Appearance of Atty. Larry McSoud for Deft. Reynolds, filed. b
11-4	Mot. of Deft. Harry Anson Reynolds for Judgment of Acquittal Notwithstanding the Verdict, filed. v -copy to Dene.
11-5	Order, filed & entered, sustaining motion of deft. Harry Anson Reynolds, setting aside jury verdict as to Counts 1, 2, 3 and 4; deft. Reynolds acquitted of Counts 1, 2, 3 and 4; in other respects the verdict is unchanged. (AEB-J)g cpies mailed.
11-11-75	<p>Case called for sentencing of Defts' Reynolds & Steele. Defts' present & represented. Govt. represented. Defts' & Co. asked if they have anything to say before sentencing is pronounced.</p> <p>Judgment & Sentence - <u>Pat Reynolds, true name Harry Anson Reynolds</u> Imposition of sentence suspended & Deft. placed on probation for period of Six (6) months & fined \$250.00, to be paid to the U.S. Ct. Clk. w/in 30 days from this date. Probation is to be unsupervised.</p> <p>Judgment & Sentence - <u>Ellis Steele</u> Ct. 1 - Atty. Gen. - One (1) year & thirty (30) days, & on condition that Deft. be confined in jail type institution for period of thirty (30) days, the execution of the remainder of the sentence of imprisonment is hereby suspended & Deft. is placed on probation for One year.</p> <p>Ct. 2 - Atty. Gen. - One (1) year & thirty (30) days, & on condition that Deft. be confined in jail type institution for period of thirty (30) days, the execution of the remainder of the sentence of imprisonment is hereby suspended & Deft. is placed on probation for One Year.</p> <p>Ct. 3 - Atty. Gen. - One (1) year & thirty (30) days, & on condition that Deft. be confined in jail type institution for period of thirty (30) days, the execution of the remainder of the sentence of imprisonment is hereby suspended & Deft. is placed on probation for One Year.</p> <p>Ct. 4 - Atty. Gen. - One (1) year & thirty (30) days, & on condition that Deft. be confined in jail type institution for period of thirty (30) days, the execution of the remainder of the sentence of imprisonment is hereby suspended & Deft. is placed on probation for One Year. Sentence imposed in Cts. 2, 3 & 4 to run concurrently w/ sentence imposed in Ct. 1. Sentence is deferred to 11-24-75. Deft. to present plan whereby Deft. may spend 30 days time on weekends. (AEB-J)b</p>
11-11-75	Judgment & Ord. of prob. re-Reynolds, filed & entered. (AEB-J)b
11-11-75	Two c/c of J & O of Prob. to probation. b
11-11-75	Judgment & Commitment re-Steele, filed & entered. (AEB-J)b
11-11-75	Two c/c of J & C, c/o USM. b
11-24-	Deft. Steele & Counsel report to Court that they have arrived at a plan whereby Deft. can spend 30 day sentence on weekends. Court orders that Deft. report to USM on Friday, November 28, 1975, to commence sentence. (AEB-J)b
12-4	Motion to modify sentence of Ellis Steele, filed. ph <i>copy to Dene</i>

-contd.-

DATE	PROCEEDINGS
12-9-75	c/c of J&C as to deft. Ellis Steele, ret. & filed: deft. Steele delivered to Tulsa County Jail on 11-28-75. g
12-23	Mot. of Deft. for New Trial on the Grounds of Newly Discovered Evidence, filed.tc
12-23	Brief in Support of Deft's Mot. for New Trial on Grounds of Newly Discovered Evidence, filed.tc
12-30	Response to Deft.'s Mot. for New Trial, in re Deft. Reynolds, fld. v -cpy to Dene.
12-31	Order modifying sentence of deft. Ellis Steele, filed & entered: sentence reduced to the following: It is adjudged that the deft. Ellis Steele does not need commitment, and execution of sentence is suspended and deft. placed on three (3) yrs. probation pursuant to 18 USC 3651. It is a condition of probation that the deft. volunteer his time on two evenings and Saturdays and Sundays of each week to work directing athletic programs for children at the Booker T. Washington Recreation Center in Sapulpa, Ok. Deft. to be released from service of jail-type or institutional custody forthwith, and to report to Probation Office for community supervision. (AEB-J)g (cpy to USM, Prob. Office & Counsel)
<u>1976</u>	
1-16	Return on Order in Deft. Steele, filed. Rec'd order on 12-31-75 & executed same by releasing Deft. Steele from jail type custody. v
3-29	Reporter's transcript of proceedings had on 10-23-75, an excerpt, filed. (Glen R. Dorrough-R)ph
5-14	Order, filed, overruling motion of deft. Harry Anson Reynolds for a new trial. (AEB-J)g cp. to counsel.
7-30	Pltf's application to withdraw trial exhibit one, filed.k O to J
8-4	Order allowing Pltf. to withdraw trial exhibit one, filed.(AEB-J)b cps mld
11-2	Defts. Pat Reynolds and Ellis Steele's motion to correct illegal sentence or grant new trial, filed.s Cy to Dene
11-2	Defts. Paty Reynolds and Ellis Steele's motion in support of mot. to correct illegal sentence or grant new trial, filed.s cy to Dene
11-10	Deft. Pat Reynold's supplemental brief in support of deft's mot. to grant new trial, filed.s cy to Dene
<u>1977</u>	
<u>2-7</u>	Order, filed, & entered, overruling and denying motion of Harry Anson Reynolds to correct illegal sentence or grant a new trial. (AEB-J)g cp mld.
5-27	Report & Order terminating probation prior to original expiration date, in re Deft. Steele, (AEB-J) fld. ho 2 cond cps. to Prob.
1-17-78	Motion to vacate, set aside, or correct sentence, pursuant to 28 USC 2255, filed.m To Dene & copy to USM
3-21-78	Deft. mot. for continuance, fld. ho
3-21-78	Order, fld. granting Deft. a continuance & the movant shall have not less than 30 days nor more than 60 days to supplement the record. (AEB-J)ho c/m
6-8-78	Order, fld. the Deft. is permitted to attach the affid. of I. E. Hardee, dated 4-6-78, the employers first report of injury from Hartford Accid. & Indemnity Co. dated 6-19-75, together w/transmittal letters from Joe West Co. dated 4-6-78 & the affid. of Terry Meltzer dated 5-7-78. The Ct. further finds that the captioned matter, on appl. of Deft., should be continued to 6-20-78 for the submission on briefs. (AEB-J) ho c/m exh. attached to 2255 mot. ho

DATE 1978	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6-22	Deft. Reynolds brief in supp. of Defts. mot. fld. ho				
8-16	Petitioner's supplement to original petition, fld.k				
8-28	Order, fld. & entered, It is ordered that the conviction & sentence of Harry Anson Reynolds on Ct. 5 of the indictment in Case No. 75-CR-129 is hereby set aside and held for naught. Said Deft. having been previously acquitted notwithstanding the verdict on Cts. 1,2,3, &4 of the indictment, the case is dismissed. (AEB-J)ho c/m				
11-19-80	EXHIBITS returned to respective parties.am				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				

AO-257

Interval (per Section II)

Start Date

End Date

Ltr. Code

Total Days

[illegible]

Dated September 5, 19 75

United States Magistrate

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Bradford U. S. Courthouse, Tulsa, Oklahoma
(Name of Magistrate) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Magistrate's
Docket No. 75, Case No. 220M

UNITED STATES OF AMERICA

vs.

ELLIS STEELE

INDICTMENT - 75-CR-129

(Nature of proceeding)

[illegible]

UNITED STATES MAGISTRATE
 NORTHERN _____ DISTRICT OF _____ OKLAHOMA

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Bradford
 (Name of Magistrate)

U. S. Courthouse, Tulsa, Oklahoma
 (Address)

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Magistrate's
 Docket No. 75, Case No. 223M
 UNITED STATES OF AMERICA,

vs.
 PAT REYNOLDS,

 ELLIS STEELE

75-CR-129

MATERIAL WITNESS BAIL

(Nature of proceeding)

FILED
SEP 10 1975
 Jack C. Silver, Clerk
 U. S. DISTRICT COURT

DATE	ACTION
9/5/75	Hearing was held before the undersigned United States Magistrate fixing bail for material witnesses in the captioned case. Ben F. Baker, Ass't. U. S. Attorney, was sworn and testified. Mr. Baker testified he did not believe the witnesses would be in the United States at the time the captioned case would go to trial in October unless held by bail because each was a resident of Mexico. Mr. Baker recommended that bail be fixed at \$2500 cash or surety on the following: Raul SALAZAR-Fuentes, Carmen FRIAS-Martinez, Noe MIRANDA-Rodriguez, Jose Ascencion MENDEZ-Sanchez and Juan OLIVAREZ-Padilla. Bail was fixed on each of the witnesses named above in the amount of \$2,500.00 cash or surety. Each witness was remanded to the custody of the U. S. Marshal to be held until bail is made or until further order of the Court.

[illegible]

Dated September 5, 19 75

United States Magistrate